

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Students for Fair Admissions, Inc.)	
)	
Plaintiff,)	
v.)	
)	
President and Fellows of Harvard College)	
(Harvard Corporation))	
)	
Defendant.)	
)	

Docket No: 1:14-cv-14176-ADB


**NON-PARTY BOSTON LATIN SCHOOL’S MOTION TO QUASH
PLAINTIFF’S SUBPOENA**

Boston Latin School (“BLS”), a non-party in the above-captioned matter, by and through counsel for the school district, the Boston Public Schools (“BPS”), respectfully moves this Court for an order quashing the subpoena served upon BLS by Plaintiff pursuant to Federal Rule 45(d)(3)(A). See attached, Exhibit 1. The summons requires one or more officers, directors, or managing agents or other designee to testify and produce documents pertaining to protected and otherwise personal and private student information regarding college applications submitted by BLS students to Harvard College, with a particular focus on students of Asian race or heritage. The subpoena poses an undue burden on the non-party witness; seeks information otherwise obtainable and already received through party discovery and other sources; seeks irrelevant information; creates a chilling effect as a matter of public policy; and invokes serious privacy concerns under state and federal law. As such, BLS respectfully requests that the court QUASH the subpoena served upon it by Plaintiff in this matter.

IV. CONCLUSION

WHEREFORE, the Boston Latin School respectfully moves this Court for an order quashing and vacating the witness summons and subpoena for testimony and documents served upon it by Plaintiff.

Respectfully submitted,
BOSTON LATIN SCHOOL,
By and through the City of Boston
and its Public Schools,
By its attorney,
Eugene O'Flaherty, Corporation Counsel



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Dated: April 6, 2017

CERTIFICATE OF SERVICE

I, Jennifer Seich Kelly, hereby certify that the foregoing Motion to Quash upon all registered ECF/CM participating attorneys and by first class mail to the Plaintiff's attorney of record and by e-mailing such copy on April 6, 2017:

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